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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 5265P001X

(maximum 12 characters)

First Named Inventor Schneider et al.Title: METHODS FOR DETERMINING PROTEIN AND PEPTIDE TERMINAL SEQUENCESExpress Mail Label No. EL627464922USj1036 U.S. PTO
10/033303
10/19/01

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D. C. 20231

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. X **Fee Transmittal Form (e.g., PTO/SB/17)**
(Submit an original, and a duplicate for fee processing)
2. **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3. X **Specification (Total Pages 110)**
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table,
or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. X **Drawings(s) (35 USC 113) (Total Sheets 41)**
5. X **Oath or Declaration (Total Pages 5)**
 - a. Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 18 completed)
 - i. **DELETIONS OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
 - c. X Unsigned.
6. **Application Data Sheet. (37 CFR 1.76)**
7. X **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**
8. **Nucleotide and/or Amino Acid Sequence Submission**
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statement verifying identity of above copies

2/15/01

- 1 -

ACCOMPANYING APPLICATION PARTS

9. ☐ **Assignment Papers (cover sheet & documents(s))**
10. ☐ a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
- ☐ b. Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ a. Information Disclosure Statement (IDS)/PTO-1449
- ☐ b. Copies of IDS Citations
13. ☐ **Preliminary Amendment**
14. ☒ **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ **Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**
17. ☒ Other: Transmittal under 37 CFR 1.96 and Express Mail Certificate

18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP)
Of Prior Application No.: 60/242,398 **Examiner** Unassigned **Group Art Unit** Unassigned
 (which is a ☐ continuation/ ☐ divisional/ ☐ CIP of prior application no. _____,
 which is a ☐ continuation/ ☐ divisional/ ☐ CIP of prior application no. _____) (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.
For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that _____ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. _____ Frame No. _____ (or a copy of which is attached).

19. Correspondence Address

☐ Customer Number or Bar Code Label _____
 or _____ (Insert Customer No. or Attach Bar Code Label here)
☒ Correspondence Address Below

NAME _____
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard
Seventh Floor

CITY Los Angeles **STATE** California **ZIP CODE** 90025-1026

Country U.S.A. **TELEPHONE** (408) 720-8300 **FAX** (408) 720-9397

Name (PRINT/TYPE): James C. Scheller, Jr. **Registration No.:** 31,195

Signature:  **Date:** 10/19/2001

FEE TRANSMITTAL FOR FY 2002**TOTAL AMOUNT OF PAYMENT (\$)** \$ 3,020.00**Complete if Known:****Application No.** Unassigned**Filing Date** Herewith**First Named Inventor** Schneider et al.**Group Art Unit** Unassigned**Examiner Name** Unassigned**Attorney Docket No.** 5265.P001X**METHOD OF PAYMENT (check one)**

1. ☒ **The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:**

Deposit Account Number 02-2666**Deposit Account Name** _____

- ☒ **Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17**

- ☐ **Applicant claims small entity status. See 37 CFR 1.27**

2. ☒ **Payment Enclosed:** ☒ **Check**
☐ **Money Order**
☐ **Other**

FEE CALCULATION**1. BASIC FILING FEE**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Code</u>	<u>Fee (\$)</u>	<u>Code</u>	<u>Fee (\$)</u>		
101	740	201	370	Utility application filing fee	<u>740.00</u>
106	330	206	165	Design application filing fee	_____
107	510	207	255	Plant filing fee	_____
108	740	208	370	Reissue filing fee	_____
114	160	214	80	Provisional application filing fee	_____

SUBTOTAL (1) \$ 740.00**2. EXTRA CLAIM FEES**

		<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims	<u>114</u>	- 20** =	<u>94</u>	X <u>18.00</u> = <u>1,692.00</u>
Independent Claims	<u>10</u>	- 3** =	<u>7</u>	X <u>84.00</u> = <u>588.00</u>
Multiple Dependent				_____ = _____

****Or number previously paid, if greater; For Reissues, see below.**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>
<u>Code</u>	<u>Fee (\$)</u>	<u>Code</u>	<u>Fee (\$)</u>	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 2,280.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
105	130	205	65	Surcharge - late filing fee or oath	_____
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	_____
139	130	139	130	Non-English specification	_____
147	2,520	147	2,520	For filing a request for ex parte reexamination	_____
099	8,800	099	8,800	Request for inter parties reexamination	_____
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	_____
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	_____
115	110	215	55	Extension for reply within first month	_____
116	400	216	200	Extension for reply within second month	_____
117	920	217	460	Extension for reply within third month	_____
118	1,440	218	720	Extension for reply within fourth month	_____
128	1,960	228	980	Extension for reply within fifth month	_____
119	320	219	160	Notice of Appeal	_____
120	320	220	160	Filing a brief in support of an appeal	_____
121	280	221	140	Request for oral hearing	_____
138	1,510	138	1,510	Petition to institute a public use proceeding	_____
140	110	240	55	Petition to revive - unavoidable	_____
141	1,280	241	640	Petition to revive - unintentional	_____
142	1,280	242	640	Utility issue fee (or reissue)	_____
143	460	243	230	Design issue fee	_____
144	620	244	310	Plant issue fee	_____
122	130	122	130	Petitions to the Commissioner	_____
123	50	123	50	Processing fee under 37 CFR 1.17(q)	_____
126	180	126	180	Submission of Information Disclosure Stmt	_____
581	40	581	40	Recording each patent assignment per property (times number of properties)	_____
146	740	246	370	For filing a submission after final rejection (see 37 CFR 1.129(a))	_____
148	110	248	55	Statutory Disclaimer	_____
149	740	249	370	For each additional invention to be examined (see 37 CFR 1.129(b))	_____
179	740	279	370	Request for Continued Examination (RCE)	_____
169	900	169	900	Request for expedited examination of a design application	_____
195	300	195	300	Publication fee for early, voluntary, or normal pub.	_____
196	300	196	300	Publication fee for republication	_____
194	130	194	130	Request for voluntary publication or republication	_____
098	130	098	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	_____
091	1,280	091	1,280	Acceptance of unintentionally delayed claim for priority	_____

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 0

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: James C. Scheller, Jr.

Signature:  Date: 10/19/2001

Reg. Number: 31,195 Telephone Number: 408-720-8300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Luke V. Schneider

Attorney Docket No.: 05265.P001

Serial No.: Filed concurrently herewith

Group Art Unit: Not yet assigned

Filed:

Examiner: Not yet assigned

For: DETERMINATION OF MOLECULAR
WEIGHT OF MACROMOLECULES
FROM MASS SPECTROMETER
FRAGMENTATION DATA

**TRANSMITTAL UNDER 37 CFR § 1.96
SUBMISSION OF COMPUTER PROGRAM LISTINGS**

BOX PATENT APPLICATION

Commissioner for Patents

Washington, D.C. 20231

Sir:

Applicant respectfully requests that the computer program listing attached hereto, which is composed of two CD-R disks, Copy 1 and Copy 2, be accepted in the above-referenced U.S. patent application. Copy 1 and Copy 2 are identical. These disks are in ASCII format, using an MS-Windows operating system. The disks were created on October 15, 2001, and are each enclosed in a hard compact disc case inside an unsealed, padded, and protective mailing envelope, attached hereto. The following files are located on the CD-R disks:

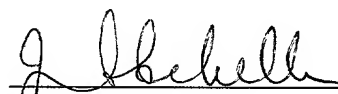
<u>File Name</u>	<u>Byte Size</u>	<u>Creation Date</u>	<u>Comments</u>
BatComputerPeriodDeconvolveMF.cpp	2,330	9/19/01	Correct period from drift to convergence, Deconvolve
BatComputePeriodDeconvolveMF.h	1,092	9/19/01	ComputePeriodDeconvolve.h Header:Inclusions, constants, declarations, globals
Bfactor.cpp	2,037	10/16/01	Beta Factor
Bfactor.h	125	10/16/01	Beta Factor Header file
CDialogMainMF.cpp	11,988	9/19/01	Main Window Dialog Box - Spectrometer Data Conversion
CDialogMainMF.h	2,715	9/19/01	Main Window Dialog Box - Spectrometer Data Conversion - Header File
CElementsMF.cpp	10,225	9/19/01	The CElements object is used to

CElementsMF h	3,579	9/19/01	read in and access element data
CErrorLogMF cpp	2,893	9/19/01	Header file for CElements.CPP The CErrorLog object is used to write error messages and codes to an error file
CErrorLogMF h	2,351	9/19/01	Header file for CErrorLog.CPP
ComputeDriftMF cpp	5,315	9/19/01	Computes average kernel at the higher resolution in two ranges of blocks Low and High and returns the drift of their maximum for period correction Resolution 1000 over 100 block separation gives .00001 period accuracy. Also computes an overall average from both and normalizes for possible kernel which is saved to an external variable at the lower resolution (100)
ComputeDriftMF h	765	9/19/01	ComputeDrift.CPP.Header: Inclusions, constants, declarations, globals
CResiduesMF cpp	8,278	9/19/01	The CResidues object is used to read in and access residue data
CResiduesMF h	3,108	9/19/01	Header file for CResidues.CPP
CSeqInputMF cpp	7,382	9/19/01	The CSeqInput object is used to get the input from a file
CSeqInputMF h	4,025	9/19/01	Header file for CSeqInput.CPP
CSeqOutputMF cpp	6,359	9/19/01	The CSeqOutput object is used to output the sequences to files
CSeqOutputMF h	2,495	9/19/01	Header file for CSeqOutput.CPP
CSequenceMF cpp	16,867	9/19/01	The CSequence object is used to read in and access residue data
CSequenceMF h	7,528	9/19/01	Header file for CSequence.CPP
CSpectroConversionMF cpp	3,590	9/19/01	The CSpectroConversion object is used to convert a file to a tab delimited, limited number of rows, file
CSpectroConversionMF h	2,217	9/19/01	Header file for CSpectroConversion.CPP
CSpectroDataMF cpp	13,573	9/19/01	The CSpectroData object is used to manage the Spectrometer Database. The object will load the contents of the file into memory and allow public functions to access the data
CSpectroDataMF h	3,094	9/19/01	Header file for CSpectroData.CPP
CSpectroSubtractionMF cpp	7,070	9/19/01	The CSpectroSubtraction object is used to calibrate and subtract 2 spectrometer data files
CSpectroSubtractionMF h	2,483	9/19/01	Header file for CSpectroSubtraction.CPP
CTabbedSpectroDataMF cpp	3,569	9/19/01	The CTabbedSpectroData object is used to manage output of converted spectrometer data.
CTabbedSpectroDataMF h	2,245	9/19/01	Header file for CSpectroTabbedData.CPP
CTextFileMF cpp	10,151	9/19/01	Static Data Members

CTextFileMF h	2,814	9/19/01	Header file for CtextFileMF.CPP
CUserInputMF cpp	5,218	9/19/01	The CUserInput bject is used to manage data input in a portable manner.
CUserInputMF h	2,145	9/19/01	Header file for CUserInput.CPP
CUserMessagesMF cpp	2,084	9/19/01	The CUserMessages object is used to write messages to console
CUserMessagesMF h	1,919	9/19/01	Header file for CUserMessages.CPP
DeconvolveMF cpp	5,830	9/19/01	Takes previously computed period and kernel and rescales data from .txt to the period, interpolates to a regular grid, baselines to minimum zero in each period, and deconvolves a multiple of the kernel, writing to .rsl, .inp, .bsl, .dcv respectively.
DeconvolveMF h	765	9/19/01	Deconvolve.h Header:Inclusions, constants, declarations, globals
FourierMF cpp	314	9/19/01	Performs a fast fourier transform on the data set.
SequencerMF cpp	8,672	9/19/01	Main fcn for Sequencer Program
SequencerMF h	1,086	9/19/01	Header file for Sequencer.CPP
TDSpectroDataCommonMF h	1,331	9/19/01	Header file for Common definitions within SpectroDataConversion

It is believed that no fee is due with this submission; however, should any fee be required for any reason relating to the enclosed materials, or any credit be due, please deduct or credit said fees to Blakely Sokoloff Taylor & Zafman LLP Deposit Account No. 02-2666. Please date stamp and return the enclosed postcard to acknowledge receipt of these materials.

Respectfully submitted,
BLAKELY SOKOLOFF TAYLOR & ZAFMAN



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Reg. No. 31,195

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(512) 330-0844

Date: 10/19/2001